

REMARKS

The Office Action dated September 11, 2006 has been reviewed and carefully considered. Claims 1-20 are pending, the independent claims being 1, 2, 5 and 10.

The drawings are objected to as failing to show the subject matter of claim 11.

Claim 11 stands rejected under 35 U.S.C. 101, as directed to non-statutory subject matter. The Office Action argues the specification and drawings do no support the claimed features.

Applicant respectfully disagrees. The specification on page 2, starting at line 3 and page 4, starting at line 13 describes these features including controller 11 and Figure 1a shows the controller 11. Clearly one skilled in the art understands what a computer readable medium entails and Applicant shows a controller. When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory.

It is respectfully requested the drawing objection and rejection of claim 11 be withdrawn.

Claims 1-20 stand rejected under 35 U.S.C. 103(a) as unpatentable over Caugant et al. (USP 4,541,293) ("Caugant") in view of Roos et al. (USP 6,075,837).

With respect to claims 1, 10, 11, and 15, the Office Action argues that applicant's claimed: "means (12, 14, 15) for changing the position and/or the orientation of the X-ray detector (3) relative to the X-ray source (2)" (claim 1) is found in col. 6, lines 11-34 of Caugant.

However applicant's claim 1 recites changing the position and/or the orientation of the X-ray detector relative to the X-ray source.

This is opposite of what Caugant teaches. Col. 6, lines 11-34 recites:

"In both cases the geometrical disposition of the components of sub-assemblies 122 and 123 is such that the rotational axis of joint 140 or 141 coincides with the main axis of symmetry of source 124 or receiver 125 when each one of the corresponding slide assemblies 126, 127 is located in its central position defining minimum space requirement, as shown in FIG. 2, i.e. in a position wherein the two outer elements of the slide assembly considered are entirely facing each other. Thus the combination of the rotational movements at joints 140 and 141 and the pivotal movement along slide assemblies 126 and 127 enables source 124 and receiver 125 to explore each a conical area having a given apex angle (for instance 60.degree.), the apex of which coincides with analysing center 0. A selected incidence of the source within the limits of its conical displacement area will of course determine automatically a specific orientation of the receiver in such a manner that the latter is located substantially opposite to the source and aligned substantially with a line passing through the analysing center. In praxis this result is achieved by maintaining slide assemblies 126, 127 in parallel planes and by conferring on said assemblies identical curved extensions according to a common direction of rotation."

Caugant teaches the source and receiver face each other and are designed to continue to face each other during rotation about the central point. This is also supported by Figures 1 and 2 of Caugant.

In contrast applicant claims changing the position and/or the orientation of the X-ray detector relative to the X-ray source. Caugant does not change the position of the receiver relative to the X-ray source.

Claims 2, 5, 10 and 11 each include at least this distinguishing feature.

Roos et al. also fails to teach this feature. In fact Roos et al. teaches in col. 7, lines 28-30 that the table, x-ray source and receptor all pivot together as a single unit.

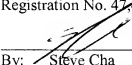
Therefore the combination of cited references, Caugant in view of Roos et al., fails to teach applicant's claimed invention. Neither of the references teaches at least the features as pointed out above.

Applicant's dependent claims include at least the features of the independent claims from which they depend. Each further includes additional distinguishing features not found in the combination of references.

For at least all the foregoing reasons, it is respectfully submitted that the rejection of claims 1-20 as obvious should be withdrawn and all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

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